

**Department of Labor and Industries
PO Box 44323
Olympia, Washington 98504-43239**

June 1, 2004

TO: Employers offering on-the-job training to injured workers and vocational providers

FROM: Dave Erickson, Operations Manager, Statewide Services

SUBJECT: **Employer responsibility for workers' compensation premiums while providing on-the-job training**

When an injured worker attends a formal job retraining program, the school may require the student to participate in on-the-job training with a local employer. These are considered internships for which the student usually does not receive wages. If the employer is not paying a wage, there is no requirement to pay workers' compensation premiums. Here is a summary of the rules:

1. What if the injured worker is NOT being paid for on-the-job training?

Then the employer providing the training is NOT responsible for:

- Workers' compensation premiums for this employee
- Any new on-the-job injury claims
- Any claims involving the aggravation of the employee's old on-the-job injury

The cost is charged to the open claim, which is covered by the employer the worker had at the time of the injury.

2. What if the injured worker IS being paid for on-the-job training?

Then, the employer providing the training IS responsible for:

- Workers' compensation premiums for this employee
- Any new, on-the-job injury claims (If the worker's original injury is aggravated, however, the cost is charged to the open claim, which is covered by the employer the worker had at the time of the injury.)

3. What if the worker is a certified preferred worker?

- The training employer can apply for reduced premiums under Labor and Industries' Preferred Worker Program.
- If the employer is approved for the program, the employer will not be responsible for any new injury claims during the preferred worker's certification period.